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VIA FACSIMILE AND U.S. MAIL

Mr. Rick Breitenbach
CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155 – Room 252-34
Sacramento, California 95814

Re: CALFED Bay-Delta Program – Draft Programmatic Environmental Impact Statement/Environmental Impact Report
File No. 1026-015

Dear Mr. Breitenbach:

The following are comments of the Stockton East Water District (SEWD) to the March 1998 Draft Programmatic Environmental Impact Statement/Environmental Impact Report (Draft PEIS/EIR) for the CALFED Bay-Delta Program. These comments should be considered in addition to the previous comments submitted by SEWD over the course of the past three years.

GENERAL COMMENTS

Implementation Strategy

At this point in time, SEWD does not have a recommendation on the selection of a Preferred Alternative. Fundamentally, SEWD believes that the CALFED Bay-Delta Program Draft PEIS/EIR is wholly deficient its analysis of some very important issues. Specifically, SEWD believes that in order for the CALFED Bay-Delta Program to render such a decision careful consideration and analysis must be given to the following three general areas:

- A solution to the Bay-Delta program must be comprehensive if public dollars are going to be utilized. Public money cannot be used to enhance export reliability and quality unless areas and watersheds of origin receive equal enhancement. As a result,

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any alternative must include surface and ground storage with reasonable financial assistance;

- Area of origin principles must be respected and addressed by CALFED; and

- The Environmental Restoration Plan must be completely revised as it contains fatal flaws and is not supported by scientific data to justify its recommendations. Specifically, the instream flow targets would set a precedent for requiring additional and higher flows from the Calaveras and Stanislaus Rivers which are not supported by any scientific data gathered to date on either river.

Storage Component Must Be Included in Selection of an Alternative

One of the most fundamental concerns of SEWD is that any alternative selected for implementation must include a storage component. Equitably and legally, water supply reliability cannot be improved for some Bay-Delta water users unless there are substantial improvements for all; this is particularly true if public funds are used in the process. This concept is contained in the Solution Principles adopted by CALFED. Yet, some of the alternatives being proposed in the Draft PEIS/EIR do not include storage components. The result of an alternative that does not include surface and/or groundwater storage is to improve water supply reliability for exporters and in-delta water users, without improving the water supply reliability of upstream users. Such an alternative is not equitable, acceptable or legal.

Area of Origin Concerns

The CALFED Draft PEIS/EIR is completely devoid of any analysis of the impacts on area of origin water right holders by implementation of any one of the alternatives. Not only does the Draft PEIS/EIR totally disregard any discussion of area of origin concerns; the Draft PEIS/EIR is completely biased in its conclusions that any water supply benefits derived from implementation are presumed to result in increased exports of water south of the Delta.

The Phase II report stated that CALFED "supports the concept of area of origin," however, one is hard pressed to believe this with the complete lack of reference to the area of origin rights in the Draft PEIS/EIR. CALFED must acknowledge that area of origin and watershed protection statutes are the law in California, that any actions proposed by CALFED will comply with those statutory requirements and provide an analysis of the specific impacts to area of origin right when implementing the Preferred Alternative.

San Joaquin County is within the "watershed of origin" of the Stanislaus River under State law and has the right to have its water needs met prior to the needs of exporters or Bay-Delta mitigation for adverse impacts caused by exporters. SEWD has filed for

priority water rights under the "watershed of origin" laws from the Stanislaus River. In implementing the CALFED program, the priority rights of those in the area of origin should be considered and the CALFED program should not diminish the water rights of those in the area of origin.

Ecosystem Restoration Program

Over the course of the past three years, SEWD and its consultants have submitted numerous comments on the Ecosystem Restoration Plan (ERP). Because our previous comments have been largely ignored, we incorporate them by reference and would like to see the answers to the questions set forth therein.

Generally speaking, one of the stated goals of the ERP is "restoring instream flows through increased storage or voluntary purchases." The instream flow goals established in the ERP have been taken largely from the Anadromous Fish Restoration Plan Draft Working Paper developed by the United States Fish and Wildlife Service. These flows were not developed through scientific review, and, as acknowledged by the Service, these flows have not been determined to be "reasonable." As such, they have no place in the ERP.

CALFED has responded to our expressed concerns by stating that the flow goals in the ERP will only be implemented through increased yield or voluntary purchases. However, CALFED staff misses the point. Once flow targets have been "adopted" by an agency or published in a document, they somehow become official goals. They are then cited by environmental groups and others who desire to increase flows in Central Valley streams. Because the ERP will carry the weight of the CALFED program, it will be incumbent upon water users to then develop science to counter the published flow goals, when the burden to develop science should be on the drafters of the ERP.

In order to effectuate a fix to the Bay-Delta system, realistic and scientifically supported goals have to be included in the ERP. The Draft PEIS/EIR analysis of the ability to achieve Ecosystem Restoration must be completely redone in the revised draft of this document in order to provide meaningful conclusions regarding the impacts of implementing one or more of the alternatives.

Inclusion of the Calaveras River

There are a number of references throughout the Draft PEIS/EIR to the Calaveras River and its alleged continuity to the Bay-Delta system. Moreover, the Calaveras River is included in the ERP. That document addresses instream flow needs of the Calaveras River, and establishes flow levels that are disputed by San Joaquin County interests. In addition, the State Water Resources Control Board is holding hearings on the obligation of parties to meet flow requirements for their Bay-Delta Water Quality Control Plan. Although these hearings are separate from the CALFED process, many of the parties are

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the same and there is overlap of some issues. Releases from the New Hogan Project to help meet Bay-Delta water quality standards should not be required because the Calaveras River does not have hydraulic continuity with the Delta during relevant time periods.

The Calaveras River lacks hydraulic continuity with the Bay-Delta due to diminished flows during the period in which the Bay-Delta is in need of increased flows. An evaluation of Calaveras River unimpaired flows, during the period when the Bay-Delta Water Quality Plan is implemented, illustrates a lack of hydraulic continuity. Attached is a table that compares the months in which diverters would be curtailed as identified for Flow Alternative 3 (SWRCB 1997 Bay/Delta DEIR, Pages A3-145) against the total acre foot unimpaired flow for that month at the Jenny Lind gauge. These flow numbers must then be compared to the estimated acre foot loss over the thirty (30) miles from the Jenny Lind gauge to the confluence of the Calaveras River with the San Joaquin River.

Clearly, the magnitude of unimpaired flows at Jenny Lind would not be sufficient to establish hydraulic continuity between the Calaveras River and the San Joaquin River during any month in which diversion curtailments would be imposed for Flow Alternative 3.

This history of little to no hydraulic continuity during critical periods of releases for water quality purposes, is evidenced by several documents relating to the Calaveras River. The Calaveras River Water Rights Study discusses the Calaveras River water supply, and provides:

> [T]he flow of the Calaveras River is greatest during the months of December, January, February and March. After these wet months the flow reduces rapidly during April, May and June and *practically ceases during the months of August, September and October* (emphasis added).

This language also supports a finding that the Calaveras River flows decrease to zero or virtually zero during the critical summer months.

Finally, the State Water Resources Control Board Revised Notice of Preparation includes a table, which illustrates an Average Percent Contribution by Subbasin [See enclosure]. The data in this report is based on the California Central Valley Unimpaired Flow Data. The estimated contribution from the Calaveras River during the months of June, July and August are 0.1%, 0.1% and 0.0% respectively.

Only those tributaries that are capable of contributing to Bay-Delta water quality during the period in which contribution is needed should to be considered during the Bay-Delta hearings. Assessment of a tributary's ability to contribute is based on its hydraulic continuity with the Bay-Delta during the period of potential contribution. The Calaveras

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River lacks the necessary hydraulic continuity with the Bay-Delta, and as such should be excluded from the analysis contained in the Draft PEIS/EIR. Moreover, the Calaveras River should be excluded from the ERP because of the lack of any support for the flow targets identified for implementation.

Water Use Efficiency

Throughout the Draft PEIS/EIR, there are a number of statements which suggest that as a prerequisite to obtaining CALFED Program benefits (receiving "new" water, participating as a buyer or seller in a water transfer or receiving water from a drought water bank), water suppliers will have to show that they are in compliance with the applicable urban or agricultural council agreements and applicable State law. It must be recognized however that any standards for agricultural use efficiency must take into consideration unique aspects of certain areas of California. In areas with overdrafted groundwater basins, the agricultural application of surface water is part of a recharge program for the groundwater basin. This is true in SEWD where the agricultural use of surface water is encouraged in order to recharge the critically overdrafted groundwater basin. Under these circumstances, the full application of agricultural efficiency measures may actually be counter-productive, and these unique circumstances should be considered.

Agricultural Drainage in the San Joaquin River Basin

While the Draft PEIS/EIR recognizes that salinity problems exist in the San Joaquin River basin, the Draft PEIS/EIR fails to adequately identify the source of the salinity problem. Moreover, the water quality and ERP goals in the Bay-Delta system cannot be met unless serious improvements are made to the salinity problem in the San Joaquin River. CALFED can play a very important role in that resolution, and must do so. Unfortunately, the Draft PEIS/EIR falls terribly short in its analysis of implementation measures which would assist in curing the problems resulting from the agricultural drainage from the west side of the San Joaquin Valley basin users.

None of the three CALFED alternatives reduce the amount of water released from New Melones Reservoir for water quality purposes in the San Joaquin River. One of the specific goals of the CALFED program is to improve water quality, particularly for urban water users receiving water exported from the Delta. The CALFED program needs to also improve the water quality in the San Joaquin River for the benefit of agricultural users in the South Delta and for urban and agricultural water users receiving supplies from New Melones Reservoir.

The Draft PEIS/EIR makes countless references that salinity increases could in fact occur with implementation of one or more of the alternatives. This is simply unacceptable and major revisions to the underlying assumptions and implementation

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strategies must be included in the revised Draft PEIS/EIR to provide meaningful solutions to the agricultural drainage problem in the San Joaquin River basin.

No Action Alternative:

SEWD has a fundamental objection with inclusion of the Bay-Delta Accord in the assumptions for the No Action Alternative as the long-term operational plan for the Bay-Delta. First, the Bay-Delta Accord was a three-year deal. Assuming that this three-year agreement will continue over a twenty-five year study period is simply without support. While we recognize that the Bay-Delta Accord has been renewed for a one-year period, it hardly stands to reason that it will continue over the course of the next three decades.

SEWD's primary concern with such an assumption is that the flows committed under the Bay-Delta Accord are done so on a voluntary basis by the Bureau in direct abrogation of the SEWD's contractual rights. There has been an ongoing misconception that the Bureau is somehow legally obligated to provide these flows from New Melones. This is simply wrong. There is nothing contained in Water Rights Order 95-6 that requires the Bureau to make releases to meet the Vernalis flow requirements. In fact, Bureau staff has acknowledged a number of times that the releases made from New Melones to meet the Vernalis flow standard were based upon a voluntary commitment by the Regional Director to meet those flows. SEWD has litigation pending in federal court that challenges the Bureau's voluntary provision of these flows.

In addition, there is no legal basis for the assumption that New Melones will continue to make the flow releases. As we have stated countless times, no requirement is contained in the Bay-Delta Accord that mandates that the releases come from New Melones. The Bay-Delta Accord simply obligates the Bureau to make the releases when it states that "[d]uring this three year period, the Bureau of Reclamation shall provide these flows, in accordance with the biological opinion for Delta Smelt." The Biological Opinion concluded "no jeopardy" based on the flow parameters contained in the Accord. However, it is important to note that the Biological Opinion does not require releases from New Melones, but simply states that the Bureau shall meet the obligations.

The No-Action Alternative also assumes that the Vernalis Adaptive Management Plan (VAMP) will be in place in all years that will be used to meet the Vernalis salinity standard. SEWD believes that it is premature to include it as the State Water Resources Control Board has not formally adopted it. By a simple review of CALFED's very criteria for inclusion in the No-Action Alternative, inclusion of VAMP is not warranted. Specifically, VAMP does not have completed environmental documentation nor does the action have final environmental permits and approvals.

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SPECIFIC COMMENTS

CHAPTER ONE – PURPOSE AND NEED

Page 1-7

Water Supply Reliability: One of the listed objectives under this section is to improve export water supplies to help meet beneficial use needs. Absent from the listing of objectives is any reference to increasing water supply reliability for the area of origin users that now have the demand necessary to support such increase in water usage.

Page 1-7

Water Quality: One of the listed objectives to enhance water quality is to reduce constituents in agricultural water that affect operations and crop productively. Conspicuously absent from the list is improving the water quality through a reduction in discharge of poor quality water into the San Joaquin River. A fundamental flaw in the Draft PEIS/EIR is the failure to recognize the significant and disastrous affects produced by the salinity-laden water into the San Joaquin River. Until there is a sincere effort to solve the problem, any proposed long-term solution will fail miserably. There are a number of viable solutions, none of which are explored in this document. The CALFED Bay-Delta program must include a thorough analysis of the practical alternative available including, construction of an out of valley drain, adoption of water quality standards along the entire San Joaquin River not simply at Vernalis, recirculation of water and timing of releases to achieve the maximum assimilative capacity of releases from the west side discharges.

CHAPTER 2 – PROGRAM DESCRIPTION

Page 2-35

Under the relationship with other ongoing programs section there is a discussion that it was assumed that the Bay-Delta Accord criteria would be the long-term plan for the Delta. As was discussed above, the Bay-Delta Accord should not be included as the basis for a long-term plan for operation of the Bay-Delta because it was a three-year deal and implementation of it has been done to the detriment of legally users of water. Further, there are legal actions challenging the legality of the Bay-Delta Accord, and to assume that this voluntary agreement would bind the parties for a twenty-five years period is unsupported in fact and law. Inclusion this assumption renders the entire analysis in the Draft PEIS/EIR meaningless.

CHAPTER 6 - PHYSICAL ENVIRONMENT

SURFACE WATER RESOURCES

Page 6.1-11

Summary of Program Impacts – Storage and Conveyance: There is a general discussion pertaining to the benefits that increased storage would have on increasing export water supplies. Moreover, reference is made to additional high quality water that would be provided by the increase in storage to supplement reservoir releases during low flow periods. However, the summary does not include a description of the benefits to be achieved by area of origin water users through the increase in storage capacity. California law requires analysis of the impacts on area of origin water uses. Focusing simply on environmental restoration and increased exports does not adequately identify and analyze all potential benefits that could be achieved by increasing storage capacity.

Page 6.1-12

Summary of Program Impacts – Storage and Conveyance: The discussion under the Alternative 3 shows an unreasonable impact on water quality in the South Delta. It states that salinity increases could occur in the South Delta due to the reduced component of Sacramento River flows through the Delta. The revised Draft PEIS/EIR must include a more detailed description of this significant environmental impact and sufficient mitigation measures to ensure that should implementation of this Alternative come to fruition that any adverse environmental impacts are sufficiently mitigated.

Page 6.1-14

Affected Environment/Existing Conditions – Delta Region: The reference to the Calaveras River should be deleted as there is no evidence to support hydraulic continuity with the Delta.

Page 6.1-17

Affected Environment/Existing Conditions – Delta Region: Under the water quality description of the Delta, the text recognizes that water in the San Joaquin River and the South Delta has been affected by salts. It later suggests that "responses to the problem have included curtailment of discharges of drain water to the river, reduction in applied irrigation and retirement of some irrigated land." Please provide the documentary evidence which support the response efforts undertaken to date. Where have curtailment of discharges occurred? What land has been retired? Who has benefited from the increased savings from the reduction in applied irrigation water?

Page 6.1-29

Existing Conditions – San Joaquin River Region: How did the CALFED staff decide on the three locations to represent hydraulic conditions in the San Joaquin Region?

Page 6.1-32

Environmental Consequences – Bay-Delta Hydrodynamics and Riverine Hydraulics - Approach: Reference to the Calaveras River as being a source of freshwater on the same plain as the Sacramento, Mokelumne and San Joaquin is an grossly inaccurate

comparison. Inclusion of the Calaveras River should be deleted as during many of the summer months, no hydraulic continuity exists between the Calaveras River and the Delta.

Page 6.1-33

Environmental Consequences – Bay-Delta Hydrodynamics and Riverine Hydraulics - Approach: The statement that another measure of dominant hydrodynamic conditions in the Delta is salinity. This is supported by the next statement that "salinity in the Delta is primarily a result of seawater intrusion, although upstream sources, such as agricultural drainage from the San Joaquin Valley contributes to Delta salinity." What is the scientific documentation to support for this statement?

Page 6.1-34

Environmental Consequences – Bay-Delta Hydrodynamics and Riverine Hydraulics – Modeling Assumptions: The modeling assumptions include the conclusion that the Ecosystem Restoration Program flow targets would have no impact on SWP-CVP deliveries and would be met either from new storage or from additional future water purchases from willing sellers. This statement is frankly unbelievable. It exemplifies the total disregard for area of origin water users and clearly shows CALFED's bias toward maintaining or enhancing the status quo for exports at the expense of those upstream users entitled to protection under the State laws.

Page 6.1.49

Environmental Consequences – Bay-Delta Hydrodynamics and Riverine Hydraulics – Ecosystem Restoration: The discussion contained under this Section clearly demonstrates the unrealistic and unsupported goals set forth in the ERP. The text suggests that increases on the order of 45% to 55% in tributary flows to the Delta would be required to meet the target flows in the ERP in dry years. Where is this water going to come from? In dry years especially, there is heighten demand for scarce resources and suggesting that over 50% of tributary flows should go to meet target goals which are unsupported by scientific documentation is simply ludicrous.

Page 6.1-55

Environmental Consequences – Water Quality – Assessment Methods: This section contains a statement that salinity concentrations are largely the result of the balance between freshwater inflows from rivers and intrusion of brackish water from the San Francisco Bay. This statement does not properly characterize the nature of the problem on the San Joaquin River, as the majority of the salinity problem in the San Joaquin River Basin is caused from the irrigation of salt laden agricultural land which then drains into the San Joaquin River. The Draft PEIS/EIR analysis of this water quality issue is inadequate and needs to be revised to reflect solution principles which will address solving the agricultural drainage problem. There are a number of options including the

following that should be explored: on-site reduction, construction of an out of valley drain or through better timing of releases to produce a greater assimilative capacity.

Page 6.1-57

Environmental Consequences – Water Quality – Comparison of Program Alternatives – Delta Region: In the discussion under Storage and Conveyance, some of the analysis under a few of the alternatives results in increased salinity levels in south and southeast Delta, while salinity levels decreases in water to be exported. An alternative that produces this result is **unacceptable**. One of the fundamentals of CALFED solution principles is that implementation of a CALFED solution should have no significant redirected impacts. By enhancing water quality to the detriment of South Delta water users is in contradiction with that solution principle and contrary to State law. Alternatives that produce this result should not be implemented.

Page 6.1-60

Environmental Consequences – Water Quality – Comparison of Program Alternatives – Delta Region: In the discussion under Ecosystem Restoration there is a statement that "the emission of salts would remain constant, although salt concentrations in Delta channels and other waterway would increase due to increased evaporation rates." What does this mean? Later this section concludes that a potential long-term adverse water quality impact of Ecosystem Restoration Program is an increase in water salinity. Actions that increase salinity concentration should be avoided at all cost. Currently, significant water releases are made from New Melones Reservoir for the purpose of diluting pollution in the San Joaquin River. This is violation of law as noted in CALFED's Water Quality Program Appendix when it states that "Storing or using water with the explicit intent of diluting a pollutant is inconsistent with federal and state laws, and in conflict with the water use efficiency objectives." As such, any action which results in increasing the salinity levels in the San Joaquin River should not be implemented and proactive measures to reduce the salinity levels in agricultural drainage must be implemented immediately.

Page 6.1-60

Environmental Consequences – Water Quality – Comparison of Program Alternatives – Delta Region: Under the water quality discussion it is stated that water quality would probably benefit from reduced point and nonpoint source discharges. How can this language be reconciled with the discussion that immediately precedes this section on how there will be significant adverse affects on water quality by implementation of certain actions in some of the alternatives?

Page 6.1-66

Environmental Consequences – Water Quality – Comparison of Program Alternatives – San Joaquin River Region: The discussion in this section is wholly inadequate. Making reference that the impacts will be similar to that described for the Sacramento River region without giving specific details of the uniqueness of the San Joaquin is unacceptable. This section needs to be revised to include a thorough analysis of each one of the components on the San Joaquin River region.

Page 6.1-62-65

Environmental Consequences – Water Quality – Comparison of Program Alternatives – Sacramento River Region: [See comment above] For instance, in the discussion of the impacts of the Storage and Conveyance components, it is stated that greater releases from storage and higher instream flows would result with implementation of some of the alternatives. Moreover, it is stated that increased exports would require additional releases from existing reservoirs under implementation of some of the alternatives. How would this be accomplished on the San Joaquin River system? Where would the water come from in an already over-committed system? In the water quality section for the Sacramento River region there is a discussion of the effects of the reduction in contaminant discharge in agricultural runoff would be to improve water quality substantially by reducing the contaminant loading to surface water. How would the water quality improvements be realized in the San Joaquin River region?

Page 6.1-68

Environmental Consequences – Water Quality – Potentially Significant Unavoidable Impacts: How can the statement contained in the section be reconciled with the significant adverse impacts which will result from implementation of any one of the alternatives which significantly impact salinity levels in the San Joaquin River? Specifically, how will the impacts be avoided?

Page 6.1-68-75

Environmental Consequences – Water Supply and Water Management: How are the increased water supply needs in the area of origin considered in the analysis under this section. It appears that any increase in water supply will be directed to SWP and CVP water deliveries south of the Delta; once again, demonstrating the bias of this document toward increasing export without considering the supply of in basin and area of origin users. Area of origin water users needs must be addressed and provided for in the long-term solution for the Bay-Delta.

GROUNDWATER RESOURCES

Page 6.2-27

Environmental Consequences – San Joaquin River Region: There is a passing mention of the fact that the Eastern San Joaquin County Basin is one of 11 in the state that is in a condition of critical overdraft. However, under the section on environmental

consequences, there is no discussion of how the Eastern San Joaquin County basin will be impacted. Specifically, it is stated that additional instream flow requirements may result in reduced frequency of meeting agricultural, municipal and industrial demands and therefore increased pressure would be placed on groundwater resources to meet those demands. How will this significant adverse impact be mitigated in the Eastern San Joaquin County Basin? Will further saline intrusion occur or will there be further cones of depression developed by the increase reliance on groundwater? These issues must be addressed.

CHAPTER 7 – BIOLOGICAL ENVIRONMENT

FISHERIES AND AQUATIC ECOSYSTEMS

Page 7.1-24

Environmental Consequences: Fisheries and Aquatic Ecosystems: In this section there is a discussion that the adverse affects of contaminants may be minimized through the discharge of dilution flows as the dilution flows reduce the concentration of contaminants. Dilution of pollution is in violation of state and federal law. See comment for Page 6.1-60.

Page 7.1-41-42

Comparison of Program Alternatives to Existing Conditions: SEWD supports the concept of adaptive management to solve fishery problems in the Bay-Delta ecosystem. However, the concept has yet to be successfully adapted to in-field applications. Hypothesis are implemented under the guise of adaptive management, and never altered when new information is developed. In addition, funds are often lacking for the monitoring which is essential to true adaptive management. SEWD believes that assurances must be built into the program to insure that adaptive management is not just a catch phrase in the CALFED process, but will be implemented in accordance with its terms.

CHAPTER 8 – LAND USE, SOCIAL AND ECONOMIC ISSUES

AGRICULTURAL RESOURCES

Page 8.1-36

Environmental Consequences: Agricultural Economics – San Joaquin River Region: Under the Storage and Conveyance discussion there is a statement that CVP contractors would be the primary beneficiaries in the Sacramento River Region. However, there is no corresponding statement for who would benefit in the San Joaquin River basin. While there is a general statement that water will be used to reduce groundwater overdraft, there needs to be a more thorough analysis of who can and should benefit from an increase in water supply. SEWD as one of two CVP contractors on the

Stanislaus River has suffered the brunt of the reallocation from both the CVPIA and the Bay-Delta Accord. There must be a recognition of those who have borne the burden of the reallocation and a corresponding accommodation when new supplies are developed. Furthermore, the entire issue of who should finance and bear the cost of the new surface water storage improvements must be addressed. Specific consideration must be given to those in the area of origin because they have not had the benefit of the past fifty years of subsidized water rates that others have enjoyed. Please refer to our comments on financing issues in our Phase II – Interim Report comments.

URBAN RESOURCES

Page 8.2-11

Affected Environment/Existing Conditions – Delta Region: The description regarding the City of Stockton's water supply should be clarified to note that it is SEWD who provides M&I water through its treatment plant to the City of Stockton, California Water Service Company and San Joaquin County from the Stanislaus and Calaveras rivers.

Page 8.2-22-23

Affected Environment/Existing Conditions – San Joaquin River Region: It should be noted under the economics section that CVP water service contracts in the region are also served from New Melones Reservoir on the Stanislaus River. Additionally, SEWD has a CVP contract in the amount of 75,000 acre feet, not 38,000 acre feet.

REGIONAL ECONOMICS

Page 8.6-12-15

Environmental Consequences: Regional Economics: Because of the territorial overlap of the Delta and San Joaquin River regions and because of the substantial economic impacts to employment, income and public finance identified in the this section, mitigation measures to avoid these significant impacts should be coordinated in such a fashion to ensure that the entire regions economic stability is improved.

WATER QUALITY PROGRAM – TECHNICAL APPENDIX

Page 10 and Table 5

It is stated that the Water Quality Program has identified narrative or numerical water quality targets for each parameter of concern. These targets supposedly represent instream concentrations of parameters of concern that will be used as indicator of success to determine the effectiveness of water quality action. However, in reviewing Table 5, there are no narrative or numerical water quality targets identified for salinity on the San Joaquin River; even though water quality standards have been established by the State Water Resources Control Board for Vernalis and should be established for the entire San Joaquin River, not simply at Vernalis. Furthermore, there are countless other statements

in the Draft PEIS/EIR which suggest that the present and future load estimates will be included in this Appendix which do not appear in the text. Finally, there are a number of sources available to the CALFED team which detail the significant contaminant loading (especially salinity) in the San Joaquin River that should be incorporated and utilized when producing the water quality analysis and results. Moreover, specific goals must be established for the reduction in salinity levels in the San Joaquin River in order to for a realistic solution to be achieved in the Bay-Delta.

We look forward to reviewing the revise Draft PEIS/EIR and are hopeful that our comments will be given consideration and addressed in the revised analysis. Should you have any questions, please feel free to contact me.

Very truly yours,

KARNA E. HARRIGFELD
Attorney-at-Law

Enclosure

KEH:des

cc: Edward M. Steffani
Congressman Richard Pombo
Senate Select Committee on CALFED Bay-Delta Program
Assemblyman Michael Machado
Senator Patrick Johnston
Jim Nickles, The Record

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